

Scianni, Melissa

From: Diamond, Jane
Sent: Tuesday, February 24, 2015 1:55 PM
To: Skadowski, Suzanne
Cc: Kermish, Laurie; Campbell, Rich; Brush, Jason; Woo, Nancy; Rao, Kate; Scianni, Melissa
Subject: RE: Greenwire inquiry re: Redwood City Saltworks jurisdictional determination

b5

Jane Diamond
Water Director, EPA Region 9
415-947-8707

From: Skadowski, Suzanne
Sent: Tuesday, February 24, 2015 12:52 PM
To: Diamond, Jane
Cc: Kermish, Laurie; Campbell, Rich; Brush, Jason; Woo, Nancy; Rao, Kate; Scianni, Melissa
Subject: RE: Greenwire inquiry re: Redwood City Saltworks jurisdictional determination

Thank you Jane! My proposed **revision** is below. Does this work?

Suzanne Skadowski
Public Affairs Specialist
U.S. Environmental Protection Agency | San Francisco
D: 415-972-3165 | C: 415-265-2863 | E: skadowski.suzanne@epa.gov

From: Diamond, Jane
Sent: Tuesday, February 24, 2015 12:44 PM
To: Skadowski, Suzanne
Cc: Kermish, Laurie; Campbell, Rich; Brush, Jason; Woo, Nancy; Rao, Kate; Scianni, Melissa
Subject: RE: Greenwire inquiry re: Redwood City Saltworks jurisdictional determination

Thanks Suzanne and team. I am comfortable with the responses below, with the suggestion that we may want to change the response I highlighted in blue. When I was talking with Jared yesterday, he mentioned having the Administrator approve the special case request. There is currently no Assistant Administrator for Water, only Ken Kopocis and Mike Shapiro, both DAAs. I'm not sure if one of them would sign as acting AA or whether it would bump up to the Administrator. I think that our response to Greenwire could reinforce that we made the request to the Assistant Administrator for Water and that EPA HQ will decide which Agency official will formally respond to the request.

Also, here is the memo. I note that I think the info in what you sent earlier from the reporter suggesting we had released the memo and then retracted and released a redacted version, so if we release, we should be clear about whether we release a redacted version. I only have an un-redacted version.

Jane Diamond
Water Director, EPA Region 9
415-947-8707

From: Skadowski, Suzanne

Sent: Tuesday, February 24, 2015 12:16 PM

To: Diamond, Jane

Cc: Kermish, Laurie; Campbell, Rich; Brush, Jason; Woo, Nancy; Rao, Kate; Scianni, Melissa

Subject: Greenwire inquiry re: Redwood City Saltworks jurisdictional determination

Hi Jane,

[REDACTED]
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[REDACTED]

[REDACTED]

[REDACTED]

Suzanne Skadowski

From: Annie Snider [<mailto:asnider@eenews.net>]
Sent: Monday, February 23, 2015 4:39 PM
To: Skadowski, Suzanne
Subject: RE: Redwood City Saltworks jurisdictional determination

Hi Suzanne, thanks for taking the time to talk earlier today. Here's the list of things I ran through with you -- let me know if any of these don't make sense or if more explanation would help:

-In its May 2012 letter requesting a final JD for the salt plant, Redwood City Saltworks specifically asked that EPA make the jurisdictional determination. Why was this request denied? Was it considered?

-Last summer the News Record reported on a May 14, 2014 memo by Jared Blumenfeld that the paper says included a request that the Redwood City JD be put on a special case list, and alludes to an interview with the administrator in which he said the JD was not put on that list.

http://www.mercurynews.com/peninsula/ci_26346721/federal-agencies-wrestle-over-whether-saltworks-property-should
Does EPA dispute any of these facts? I am still trying to track down that memo - if you could share it that would be great.

-My understanding is that Administrator McCarthy would have to sign off on it in order for a case to be added to the special case list. Was such a request for the Redwood City JD submitted by Region 9 to EPA headquarters?

-Is Blumenfeld considering making a special case request in the future?

-Did EPA review or weigh in on the corps' legal guidance pertaining to the Redwood City JD that was sent by the corps' director of civil works, Steve Stockton, to the commander of the San Francisco district on Jan. 15, 2014? Had EPA seen it before it was sent?

-Many wetlands/Clean Water Act experts watching this case speculate that EPA is being less assertive in this case than it might be otherwise because of the ongoing politics around the proposed Waters of the U.S. regulation. I wanted to give y'all a heads up that that's part of what I'm looking at in this story and give you a chance to respond.

Like I said, we're shooting to wrap up reporting by COB tomorrow. It's possible that things will get pushed back; if they do I will let you know. If possible, I would love to get a few minutes to talk with the regional administrator about these issues. Failing that, I want to make sure that I've got all the facts straight and have given everyone a fair chance to respond.

I'll be in the office until about 12:30 eastern tomorrow, and then on my cell after (646-250-1943), although I'll be at a conference, so it may take me a minute to pick up if I need to step out.

thanks,
Annie

From: Annie Snider
Sent: Monday, February 23, 2015 4:50 PM
To: Zito, Kelly; Skadowski, Suzanne
Subject: RE: Redwood City Saltworks jurisdictional determination

Thanks, Kelly.

Suzanne – I just left you a message. I'm at my desk (202-446-0411) for another 25 min or so if you have time to talk now, or let's try to find a time to touch base tomorrow.

Best,
Annie

From: Zito, Kelly [<mailto:ZITO.KELLY@EPA.GOV>]
Sent: Monday, February 23, 2015 4:44 PM
To: Annie Snider; Skadowski, Suzanne
Subject: RE: Redwood City Saltworks jurisdictional determination

Hi Annie –

Thanks so much for your query. I just forwarded your message to Suzanne Skadowski, our press officer for all things Northern California.

I've also cc'd her here. Additionally, her direct number is 415-972-3165.

Best-
Kelly

From: Annie Snider [<mailto:asnider@eenews.net>]
Sent: Monday, February 23, 2015 1:27 PM
To: Zito, Kelly
Subject: Redwood City Saltworks jurisdictional determination

Kelly, I just left you a voice mail – I'm our DC-based water reporter, helping Debra Kahn look into this issue. I know she got a statement from you last week about the state-of-play on the JD, but I wanted to find some time to chat with you about some of what I'm reading in the local press and hearing from others on the ground. I want to be sure we don't print something that is incorrect.

I'll be at my desk for another 45 min or so. Tomorrow I'll be running around, so if we don't connect today, let's touch base by email tomorrow and find a time when we can talk.

Best,
Annie

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